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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,542	10/09/2003	Susie J. Wee	200315123-1	8755

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FORT COLLINS, CO 80527-2400

EXAMINER

BAUTISTA, XIOMARA L

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/682,542	<b>Applicant(s)</b> WEE ET AL.	
	<b>Examiner</b> X. L. Bautista	<b>Art Unit</b> 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 07 June 2006 have been fully considered but they are not persuasive.

A. Applicant argues, "*Brin* discloses a user terminal 100 that includes a keyboard and mouse for interaction with a single user present at the user terminal 100...user terminal 100 as taught by *Brin* does not include sensing components for covering more than one individual present at the user terminal 100 as does a rich media environment as claimed in amended claim 1." (page 9, third paragraph).

In response, claim 1 recites a set of one or more rich media environments each having a corresponding arrangement of sensing and rendering components for covering a set of individuals present in the corresponding rich media environment wherein at least one of the rich media environments covers more than one of the individuals (lines 3-8). *Brin* discloses an interactive communication environment having at least one sensing and rendering component for covering individuals present and using the communication environment that has sensing and rendering components. *Brin* teaches multiple users that are present and using the communication environment for interactive communication, each having sensing and rendering components. Claim 1 does not recite two or more individuals present

in one physical room using at least one rich media environment covering more than one of the individuals. Claim 1 recites a rich media environment (software and hardware) that can be installed in each user's system to enable a plurality of users to communicate using more than one sensing and rendering components (audio, video, etc.).

B. Applicant argues, "that the world view 700 disclosed in *Brin* is a window rendered on a display device...rather than a rich media environment having an arrangement of sensing and rendering components for covering multiple individuals present in the rich media environment...the elements 320 in the world view 700 of *Brin* are not individuals present in a rich media environment... the elements 320 of *Brin* are a software emulation of conversation characteristics of individual users of the user terminals 100." (page 9, fourth paragraph).

See response to argument A. *Brin* discloses a rich media environment (software, hardware) that enables multiple users to communicate interactively using at least one sensing and rendering component (audio, video, etc.). *Brin* teaches multiple users having interactive communication; each user utilizing a rich media environment having at least one sensing and rendering component in a corresponding system wherein combined media data is communicated to the rendering components.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-45 are rejected under 35 U.S.C. 102(e) as being anticipated by *Brin* (US 2003/0001890 A1).**

Claims 1, 22 and 34:

Brin discloses a system and method for interactive communication among a plurality of users. Brin teaches that the system enables users to perceive and participate in a multiple real-world conversational characteristics, such as proximity and orientation of a listener, emphasis by a speaker, importance of a speaker, reputation of a speaker, filtering conversations, etc. The system detects multiple communication interactions among the individuals present in the environment and maintain an interest thread for each communication interaction (abstract; p. 1, par. 0011-p. 2; par. 0012-0019, 0028; p. 3, par. 0033). The system captures a set of media data for each interest thread and combines it in response to

the activities of a subset of the individuals associated with the interest thread (p. 4, par. 0065-0069, 0074-0075; p. 5, par. 0076-0082; figs. 5, 7, 14, 15).

Claims 2, 23 and 35:

See claim 1. Brin teaches selection of a subset of sensing and rendering components for use for each interest thread (p. 4, par. 0065-0069, 0074-0075; p. 5, par. 0076-0082; figs. 5, 7, 14, 15).

Claims 3, 24 and 36:

Brin teaches speech levels of the individuals (p. 2, par. 0012-0019).

Claims 4, 25 and 37:

Brin teaches selective filtering based on emphasis expressed by other speakers. Brin teaches emphasis such as gesturing (p. 5, par. 0076).

Claims 5, 18-20, 26 and 38:

Brin teaches activities including movements by the individuals (p. 2, par. 0019, 0021, 0032; p. 5, par. 0080, 0083; p. 8, par. 0111).

Claims 6, 27 and 39:

Brin teaches activities including locations of the individuals (p. 6, par. 0094).

Claims 7, 28 and 40:

Brin teaches that the system refines the media data in response to the activities of the individuals (p. 2, par. 0013-0026, 0031, 0034).

Claims 8, 29 and 41:

Brin teaches history of the communication interactions (p. 11, par. 0157; p. 12, par. 0172).

Claim 9:

Brin teaches communication interaction pertaining to an artifact in the rich media environment (p. 2, par. 0018; p. 3, par. 0037-0038).

Claims 10-13, 30, 31, 42 and 43:

Brin teaches that the system keeps track of each user's entry, which is displayed in conversation display spaces (writing surfaces) and updated with every entry (records a history of the space's content over time), (figs. 4B, 5A, 5B; p. 7, par. 0099-0108).

Claims 14, 15, 32, 33, 44 and 45:

See claim 1. Brin teaches detection of multiple activities (audio, gestures, movement, etc.) and creation of interest areas for each detected activity (p. 5, par. 0076; p. 7, par. 0099-0108; figs. 5A-10).

Claims 16 and 17:

See claim 1. Brin teaches communication interactions among two or more individuals in two or more of the rich media environments (p. 16, par. 0241; figs. 5A-10, 14, 15).

Claim 21:

See claim 1. Brin teaches one or more individuals in remote locations (p. 1, par. 0004-0006).

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. *Neven et al* discloses a rich media communication system that provides multiple users with a three-dimensional communication space or theater having rich media functions and tools for allowing collaboration between users, music clips, video conferencing, etc. (abstract; col. 1, lines 45-63; col. 2, lines 66-67; col. 3, lines 1-10, 21-25). *Presley et al* discloses a wireless conferencing system for interactive rich media communication having transceivers that acquire, transmit, receive and display audio and video data (abstract; paragraphs 0006-0012, 0019, 0020, 0022, 0023). *Reid et al* discloses a system for interactive delivery of rich media content over a network (abstract; paragraphs 0004, 0005, 0009, 0011). *Kaneko* discloses a video conference system for transmission/reception of video and audio data.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



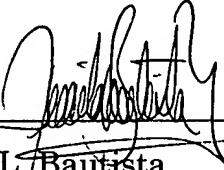
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Tuesday-Friday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
\_\_\_\_\_  
X. L. Bautista  
Primary Examiner  
Art Unit 2179

xlb  
18 August 2006